



# The Town of Fenwick Island

800 Coastal Highway, Fenwick Island, DE 19944-4409  
302-539-3011 ~ 302-539-1305 fax  
[www.fenwickisland.delaware.gov](http://www.fenwickisland.delaware.gov)

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## **REGULAR MEETING OF THE TOWN COUNCIL OCTOBER 23, 2020 *MEETING HELD VIA TELECONFERENCE***

### **MINUTES**

#### **In Attendance**

##### Town Council Members:

Mayor Langan, Vice Mayor Mais, Treasurer Bunting, Secretary Merritt, Council Member Carmean, Council Member Houser, Council Member Weistling

##### Staff in Attendance:

Town Manager Tieman, Police Chief Devlin, Temporary Town Clerk Menominee

##### Others in Attendance:

Along with the Town Council and Staff, there were an additional 29 participants that called in to the meeting.

Mayor Langan began the meeting at 3:30 PM.

#### **President's Report**

Mayor Langan extended the deadline for submitting committee applications to October 30<sup>th</sup> due to an omission of two committees on the original application.

Mayor Langan announced there would be no seismic testing but there is an oil spill along Delaware Coast. The Coast Guard and DNREC do not know the origin but are working to clean the beaches and animals. They are also using infrared drones to find the cause. Beaches are being cleaned in the morning for the tar balls. Mayor Langan said if any are spotted on Fenwick Beaches to report it to the Oil Spill Hotline, do not touch and do not try to clean it yourself.

Town Manager Tieman noted that the beaches were being checked daily by Public Works.

Council Member Houser shared remarks on how to tell if a community is improving with the pride of home ownership, real estate activity, value of homes, investments in businesses and town plans for sidewalks and safety signs, he believes that it has never been a better time to be a part of the Town of Fenwick Island.

#### **For Discussion and Possible Action**

##### Beach Concession Service Bid

Town Manager Tieman recommended awarding Steen's Beach Service the Beach Concession Service Bid. The contract expires at the end of this year. Steen's Beach Service has been reviewed and complies with the Fenwick Island Code. License begins May 29, 2021 and ends September 10, 2023 with option to renew for 2 additional years.

A MOTION was made by Vice Mayor Mais, seconded by Council Member Houser to approve the license for Steen's Beach Service. The MOTION passed unanimously.

##### David A. Bramble, Inc. extended work hours

Town Manager Tieman stated that there is damage to Indian Street and James Street caused by Hawkins Contracting and needs resurfacing. David A. Bramble, Inc. will be completing the resurfacing at the expense of the contractor and requested to begin work at 7:00 AM. This will reduce costs and inconvenience to all parties,

while residents will have to be notified 48 hours in advance. Kercher Engineering will be inspecting the completed work.

A MOTION was made by Treasurer Bunting, seconded by Secretary Merritt to extend the work hours for David A. Bramble, Inc. The MOTION passed unanimously.

#### Server Replacement/Cloud Decision

Town Manager Tieman stated that on October 13<sup>th</sup> the Town Hall experienced a problem with the server when a hard drive completely failed. Wagamons Technology provided a temporary work around, but the temporary fix has slowed the server so much that even simple tasks have become difficult. Town Manager Tieman noted that Wagamons has had to be consulted on numerous accounts to consult on simple issues since. There is an urgent need to replace the hard drive and server or move to the cloud and replace the server.

Refer to Action Form.

Town Manager Tieman recommended server replacement and hard drive with moving to the cloud in the next 2 years. Most cautionary and least expensive.

A MOTION was made by Vice Mayor Mais, seconded by Treasurer Bunting to replace the server and hard drive. The MOTION passed unanimously.

#### **Approval of Minutes**

A MOTION was made by Secretary Merritt, seconded by Treasurer Bunting to accept the minutes with the added corrections made by Council Member Carmean. The MOTION passed unanimously.

#### **Treasurer's Report**

Treasurer Bunting presented the report for period ending September 30, 2020. He noted that the Town is currently 138.24% above what was budgeted and stated that Fenwick Island is currently in a selling boom.

A MOTION was made by Council Member Houser, seconded by Vice Mayor Mais to accept the Treasurer's Report. The MOTION passed unanimously.

#### **Town Manager's Report**

Town Manager Tieman submitted her report. She noted that Public Works did a great job with the Fall Decorations while thanking the staff for all their hard work.

#### **Department Reports**

Building Official Schuchman submitted her report.

Chief Devlin submitted his report. He noted that he introduced Officer Story to the Town Council and the are currently back to full staff.

#### **Committee Reports**

##### Pedestrian Safety Committee

Council Member Carmean stated that there were a couple letters of support that have come in for the Sidewalk Initiative with one letter of non-support. She also stated that the "No U-Turn" sign has not been installed but is reassured by Chief Devlin that it should arrive soon. Council Member Carmean also suggested to the Charter & Ordinance Committee that there is an urgent need for the town to review its parking regulations in the commercial district.

#### Charter & Ordinance

Council Member Weistling gave a brief review of the Charter & Ordinance meeting held earlier in the day. He stated they are in discussion of pods, dumpsters and storage containers. C&O is also in discussion on police enforcement of no parking in the commercial area on private property. He noted that between his research and the Town Solicitor, it looks like no other town has this type of ordinance in place. It would be new grounds to pursue.

#### Technology Committee

Mayor Langan noted that the Town's website had over 4,200 unique visitors in September.

#### **Old Business**

Council Member Carmean stated that 2 important things came from the ABC Hearing held on October 20<sup>th</sup>. The restaurants and bar at the hotel are not limited to only lodging guests. According to the letter Town Manager Tieman sent to the Board, were to be amenities of the hotel for guests only. Mr. Buas only gets revenue from the lodging, but not restaurants and bars. She stated that letters sent to the ABC Commission supporting these should be rescinded and the occupancy permit should be revoked until this issue can be worked out. She continued that Mr. Buas needs to be licensed for a bar which the Town does not allow and a restaurant that does not have available parking. Council Member Carmean states that we are going to be in a terrible situation with restaurants open to the public.

#### **New Business**

None.

#### **Upcoming Events and Meetings**

Next Town Council Meeting will be held December 4, 2020 due to the Thanksgiving Holiday. There will also be a virtual DNREC Meeting held November 5, 2020.

#### **Public Participation**

Jacque Napolitano, 2 E. James Street

Ms. Napolitano thanked Council Member Carmean for bringing up the issues surrounding the ABC hearing. Would like letter that Town Manager Tieman sent to the ABC Commissioner rescinded.

Gail Warburton, 10 W. Farmington Street

Ms. Warburton suggested to Council Member Weistling (C&O Chair) that the Town adopt a possible ordinance in regards to enclosing dumpsters for commercial properties. She also suggested that the Council move *public participation to discussion and possible action*.

Spiro Buas, 1501 Coastal Highway

Mr. Buas stated that Fenwick Shores is officially open. He wanted to affirm that the hotel is one operation and the management company does not share in the profits of only liquor sales. He also suggested limiting public participation to every couple of meetings.

Richard Benn, 1306 Bunting Avenue

Mr. Benn voiced his objection to the Fenwick Shores restaurants and bars. Mr. Benn further objected to the 2-minute limit and limiting discussion any further.

Amy Kyle, 1205 Bunting Avenue

Ms. Kyle voiced her objection to the approval of the Fenwick Shores hotel. She also expressed concern about the letter sent from Town Manager Tieman to the ABC Commissioner and would like the letter rescinded.

Bill Rymer, 8 E. Georgetown Street

Mr. Rymer voiced his objection to the letter sent by Town Manager Tieman to the ABC Commission. He believes that Town Manager Tieman misrepresented the Town residents.

Julie Lee, 703 Bunting Avenue

Ms. Lee spoke about respecting property owners and residents. She wishes the Town Council would respect and not dismiss ideas and thoughts of the town people/ fellow Council members.

Janice Bortner, 1303 Schulz Road

Ms. Bortner voiced her concern at the lack of accountability for Town Council members. She would like more transparency of what Council's agenda is for commercial developers.

Wayne Carmean, 38 Ebb Tide Cove

Mr. Carmean voiced his support of Council Member Carmean's motion to rescind the letter sent by Town Manager Tieman. He also stated that Town Committees are underutilized.

### **Adjournment**

A MOTION was made by Secretary Merritt, seconded by Vice Mayor Mais, to adjourn the meeting. The MOTION passed unanimously and the meeting adjourned at 4:36PM.